

REMARKS

The Examiner has rejected Claims 1-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No.: 6,018,741 to Howland et al., in view of U.S. Patent No.: 6,651,249 to Waldin et al. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

Specifically, the Examiner relies on the following excerpt from Howland to make a prior art showing of applicant's claimed "examining the grouping attribute associated with the list of attributes" (see this or similar language in each of the independent claims).

"When a task requires the value of a specific attribute, the local object is consulted first to see whether the attribute is defined locally. If the attribute is not defined locally, then it is an inherited attribute. For determining the value of an inherited attribute, the parent of the object is checked to determine whether the attribute is defined within the parent. If necessary, more remote ancestors of the parent are checked until the first node is found in which the desired attribute is defined. The first locally defined value of the attribute in the nearest ancestor node is used as the inherited value of the attribute of the local object." (see col. 3, lines 13-24)

It thus appears that the Examiner is relying on the "local" and "inherited" indications to meet applicant's claimed "grouping attribute." Applicant respectfully disagrees with this interpretation, since Howland's "local" and "inherited" indications are associated with specific, individual attributes not a grouping of attributes, as claimed by applicant. Only applicant teaches and claims such specific type of grouping attribute that is specifically associated with a list of a group of attributes.

More important is the claimed specific functionality afforded by applicant's unique "grouping attribute." In particular, by such feature, applicant provides the following claimed unique three-prong functionality:

"updating an element of the list of attributes if the grouping attribute indicates that the element may be updated without also updating other elements in the list of attributes;

updating the element and all other elements of the list of attributes if the grouping attribute indicates that updating the element requires all other elements to be updated; and

updating the element, all other elements, and all subordinate elements of the list of attributes if the grouping attribute indicates that updating the element requires all subordinate elements of the list of attributes to be updated" (see this or similar language in each of the independent claims).

Applicant notes that the Examiner relies on col. 4, lines 15-37 (see below) and Figs. 1A-B from Howland to make a prior art showing of the first, second and third functional operations above.

"FIG. 1B shows tree 90 after two different changes have been made. First, the attribute values of the root node 10 are changed, so that attributes C and D both have the value "1". Second, node 40 (Object "Obj400") and the subtree which has node 40 as its root are moved to a new parent node 30.

With respect to the first change, the system dynamically assigns, to each inherited attribute of each one of the child nodes (attribute D in node 20 and attribute C in node 21), the current value ("1" and "1", respectively) of the corresponding attributes C and D in the parent node 10. The updated values of attributes C and D are automatically provided in nodes 21 and 20, respectively, when requests for C and D are made after the value of the corresponding attribute of the parent node 10 changes.

On the other hand, attribute C in node 20 and attribute D in node 21 are each locally defined. The system keeps the values of each locally defined attribute of the child nodes while the inherited attributes D in node 20 and C in node 21 are being updated. All of the values of attribute C in the third level of the tree (nodes 30-32) are locally defined, so the change to the root node does not propagate any further down the tree." (col. 4, lines 15-37)

It is noted that Howland excerpt merely suggests “two different changes,” or updates. In stark contrast, applicant claims three specifically claimed scenarios that can only be provided by applicant’s unique grouping attribute.

Despite the foregoing paramount distinguishing factors and in the spirit of expediting the prosecution of the present application, applicant now claims in each of the independent claims a combination of the subject matter of Claim 3, as well as additional language, which emphasizes the foregoing distinctions:

“wherein the grouping attribute is associated with the entire list of attributes for controlling the updating through selection of at least one of at least three scenarios by indicating at least one of:

the element may be updated without also updating other elements in the list of attributes,

updating the element requires all other elements in the list of attributes to be updated, and

updating the element requires all other elements in the list of attributes and all subordinate elements in the list of attributes to be updated.”

A notice of allowance or a specific prior art showing of each of the foregoing features, in combination with the remaining claim elements, is respectfully requested.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the first and third elements of the *prima facie* case of obviousness have not been met. For example, with respect to the third element, the prior art references, when combined, fail to teach or suggest all the claim limitations, as noted above.

Applicant further notes that the Examiner's application of the prior art is further replete with deficiencies with respect to the dependent claims. Specifically, the Examiner relies on col. 4, lines 37-50; and col. 5, lines 1-16 from Howland to make a prior art showing of applicant's claimed:

"wherein updating the element involves overwriting the value with another value that may be identical to an original value" (emphasis added - see Claim 4 et al.);

"wherein updating the element and all other elements of the list of attributes involves overwriting each value with another value that may be identical to an original value" (emphasis added - see Claim 5 et al.);

"wherein updating the element, all other elements in the list of attributes, and all subordinate elements of the list of attributes involves overwriting each value with another value that may be identical to an original value for each element and each subordinate element of the list of attributes" (emphasis added - see Claim 6 et al.); and

"wherein if the attribute being updated is itself another list of attributes, the grouping attribute can indicate one of:

the attribute can be updated;

a content of the list of attributes can be replaced; and

the other list of attributes can be merged with the list of attributes. " (emphasis added - see Claim 7 et al.).

Applicant respectfully disagrees with the Examiner's assertions in view of the emphasized limitations noted above (at the very least), which are simply non-existent in the Examiner's proposed combination (especially when taken in combination with the remaining claim elements). Just by way

of example, Howland fails to even suggest any sort of "original value," as claimed, or any sort of attribute "that is itself another list of attributes," as claimed.

Again, applicant respectfully asserts that at least the first and third elements of the *prima facie* case of obviousness have not been met.

Still yet, applicant draws the Examiner's attention to the following subject matter of new Claims 25-26 which is believed to be allowable.

"wherein the attribute value includes a second list of attributes used by the security scanner program to control the operation of the security scanner program" (see Claim 25); and

"wherein the second list of attributes includes a second grouping attribute associated each of the attributes of the second list" (see Claim 26).

A notice of allowance or a specific prior art showing of each of the foregoing features, in combination with the remaining claim elements, is respectfully requested.

All of the independent claims are thus deemed allowable for the reasons set forth hereinabove. Moreover, by virtue of their dependence on such claims, all of the remaining dependent claims are also deemed allowable.

A notice of allowance is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge

any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P251).

Respectfully submitted,

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